

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BOARD OF MANAGERS OF THE  
195 HUDSON STREET CONDOMINIUM,

*Plaintiff,*

- against -

JEFFREY M. BROWN ASSOCIATES, INC. and  
LEXINGTON INSURANCE COMPANY,

*Defendants.*  
-----X

: Hon. Peter K. Leisure

: 07 Civ. 4058 (PKL)

: **DECLARATION OF**  
**LYNN FISHER HILL**

I, LYNN FISHER HILL, declare as follows:

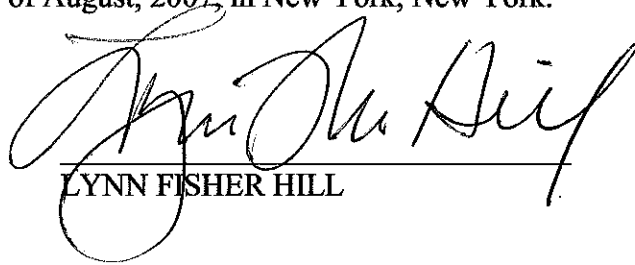
1. I am a member of plaintiff Board of Managers of the 195 Hudson Street Condominium (the "Board"). I respectfully submit this Declaration in opposition to defendant Jeffrey M. Brown Associates, Inc.'s motion to dismiss.

2. The purpose of this Declaration is to set forth the following facts that are relevant to this motion:

- a. In or around February, 2002, the Board was served with a Summons with Notice, dated February 15, 2002, in the case entitled, *Northeast Restoration Corp. v. Board of Managers of the 195 Hudson Street Condominium, et al.*, Supreme Court of the State of New York, New York County, Index No. 600664/02 ("Summons with Notice").
- b. Upon receipt of the Summons with Notice, the Board notified its insurance carrier, Chubb & Son, a division of Federal Insurance Company ("Chubb").

- c. Chubb, consequently, referred the matter to Hoey, King, Toker & Epstein ("Hoey King"), who, on information and belief, serve as house counsel for Chubb.
- d. Hoey King was not the Board's counsel of choice, rather, Chubb referred the action to Hoey King without any input from the Board.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 30th day of August, 2007, in New York, New York.



LYNN FISHER HILL